App. F. IX-4

Previous References

No 3 234-36-1-4

1936.
(Mezrai)

Preserve

File No. 2 - 36
Serial Nos. 16, 17
47 & 48

Letter References.

Govt 411.38-1-4.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for May 1937

SUBJECT.

Management of the mosque at Madalur.

To the Pres. Comm
15-5-37 & 26-5-37

WD 0118—GPB—22,200—20 8 36

Instructions have been that the Mosque
& Madalur may be given some time
to compromise their difference & take over
pending

Mr. G. S.

Pet. No. 733

GENL & REV. SEC. 62 4 JAN 1937 MUZ. BR.

OFFICE OF THE DEWAN OF MYSORE,

Dated... 31 ... 12 ... 1936.

Mog 2-36 16.

GENERAL SECRETARY 2 JAN. 1937

The accompanying petition addressed to the Dewan is forwarded, with compliments, to the Secretary to Government, Mingrai Department, for favour of disposal

2/1/

Petition of 26.12.36 from Somegowda & others of Madduru praying among other matters that the putting up of a stone tablet may be ordered before the new sluice is handed over to the Muslims.

By Order,

Private Secretary to the Dewan.

Serial No.	
17)	Peth Mr 816 was sent to the Mess Com. for a report vide no 95/3 of ... 37)

WD 0417 -GPB—80,000 -8 9 36

File No. of 193 | General and Revenue Secretariat

Serial No.

[illegible]

5) In G.O. dated 14.5.1935 an estimate for Rs 6095 was sanctioned for the construction of a Mosque at Maddur, the cost to an extent of Rs 3072 being met from Muzrai Funds and the balance of Rs 3023 from private contributions. A sum of Rs 6057 on account of the establishment, tools and plant charges on the estimate had also ordered to be worked. The Mosque is now stated to be nearing completion and the question of giving possession of the same to any party has come up for consideration.

6) It is reported that there are two factions ~~parties~~ among the local Mahomedans at Maddur each party desiring to have the management of the Mosque for itself. The suggestion of the D.C., Mysore etc., in this connection is that as it is not

Management of a Mosque

Serial No.

12) This course of action will give them an opportunity to reconsider the matter.
Submitted.

13) If the parties do not come to any amicable settlement, then the only way of resolving a dispute, would be to have the matter decided under Section 92 C.P.C

BNR 11.5

Asst. Secy Mung. for W.C.

Mungra 11/5/37

14) If approved the H.C will be informed as above.

2/13/37.

BNR 11/5 B.S.51.

(Sir Henry)

GENERAL SECRETARY. 13 MAY 1937 2155

15

For perusal. There is no need for any action under Sec 92 C.P.C.
Govt. have built this ~~Mosque~~ mosque and it cannot be called a trust created by any one. It is open to Govt. to arrange for its management and use in the manner they think best.
The Muslim population of Madras may be given some time to compose their differences and take over the building.

THE 15 MAY 1937 No. 1467

The wording in the tablet perhaps maybe "passing before" instead of passing by.

First Member

NOTE—Contn. Sheet.

14/5/37

16/5

Mosque [illegible]

File No. | of 193 | General and Revenue Secretariat

Serial No

17/ For perusal hw 1875 2/18/37.

18/ hw 19-5-37

Sewan) 19/ Subd with a draft reply to the H.C

For approval 2/ 20/5/37.

20/5/37.

Gen Secy) hw 21/5 hw 22/5/37

GENERAL SECRETARY. 20 MAY 1937 2459

1555 dated 26.5.1937 [illegible]

The H.C is right [illegible]

[illegible]

3/6/37

Read 20/5 3-25 PM

$15?

611 P

Serial No.

desirable to hand over the Mosque to any party as such a course would lead to disputes and trouble, the two rival parties should be asked to compromise their differences and come forward unanimously to take possession of the institution and failing which the matter should be left to the decision of the civil Courts under Section 92 C.P.C.

7) The M.C requests instructions whether an endorsement may be issued to the parties concerned in terms of the above suggestions in case they do not come to any agreed settlement.

8) Law Section may be consulted in the matter perhaps.

27/4

For Sarar 2 Division

2
28/4/-

Mr. Levy Law
N.C.)

261
Law
28.4

9) A mosque is reported to have been under Constructed at Maddur before the construction of which the Hindu residents of Maddur petitioned to the Dewan pointing out that the Muslims might obstruct the Hindus taking out processions with music which

NOTE—Contn. Sheet.

W D 0417—GPB—30,000—S 9 30

Re: the management of a Mosque at Madur.

File No. of 193 .

General and Revenue Secretariat

Serial No.

is being done from time immemorial. To guard against this Contingency a Mutchalika was got executed by the Muslim Residents of Madur expressly stating that they would not object to the passing of procession with music in front of the Mosque (Vide Flag X)

10) The mosque is said to be nearing Completion and in the meanwhile there is reported to be a dispute amongst the Muslims regarding the possession of the Mosque. In the circumstances two Courses of action are suggested for Consideration :-

(1) to obtain a Scheme of Management under Sec: 92 C P C.

or (2) to direct the respective factions of the Muslims to come to an amicable Settlement.

11) Legal opinion in the matter is requested. It appears to be desireable to adopt the latter course. An endorsement may be issued to the Concerned parties asking them to come to a Compromise

GENL. & REV. SECRETARIAT
427
1 - JAN 1937
MUZRIBI CH

OF MYSORE
31.12.36
733

Mzg 2-36-16

To
Rpc

The Dewan of Mysore,

BANGALORE.

PETITIONERS: The undersigned Hindu-residents of Hoskote Town.

The Petitioners beg to state:-

That a new mosque is constructed at Haddur Town adjoining the M. C. Road and between the old town and the old extension.

That before the construction of the mosque was begun the Hindu-residents of this town objected to the erection of a mosque on the site on which the mosque is now built pointing out that the muslims out of religious sentiments would likely to ~~xxxxxx~~ obstruct the Hindus taking out processions with music which they used to do from time immemorial and before the mosque was built.

That the muslims of this town have executed mutchulikas to Government on 24-9-1932, 3-10-1932 and again on 14-11-1932 to the effect that they have no objection whatever to the Hindus taking out processions with music &c., and that a stone tablet to that effect may be permanently put up near the mosque

That the Sub-Division officer in his letter dated 7-11-32 to the Deputy Commissioner, Mysore District has opined that a mosque might be permitted to be built on the site sale to provided that a stone tablet is put up to the effect that processions with music &c., will not be obstructed by the Hindus and Muslims agree to such a course.

That the construction of the mosque is at present

2S3/Mzg 2-36-16 & 16-1-37 for Head Clerk with Connected Records for favour of perusal. By order, Sylvan Thomas Asst. Secy.

258/37 Too

but no stone tablet is put up.

That the Hindu-residents of this town petitioned to the Amildar, Maddur, the Overseer, D.P.W., Maddur, the Sub-Division Officer, Mandya, The Assistant Engineer, Mandya, The Deputy Commissioner, Mysore, The Executive Engineer, Mysore, and the Huzroy Commissioner in Mysore, Bangalore on 1-12-1936 praying that the proposed stone tablet may please be caused to be put up near the mosque before the same is handed over to the Muslims.

That no steps seem to have been taken so far.

That the Petitioners learn that arrangements are being made to hand over the mosque to the Muslims.

That the Petitioners therefore pray that the Deputy Commissioner may kindly be pleased to order the putting up of a stone tablet as proposed before the building is handed over to the Muslims.

Maddur.
Dated. 26/2/36

ORDER OF THE MUZRAI COMMISSIONER IN MYSORE.

Reference:-

G.O.No.1493-5/Muz.234-34-2 dated 11/14th May 1935 sanctioning an estimate for Rs 6,095 for constructing a mosque at Maddur.

2. Correspondence ending with letter No.H.481/36-37 dated 2nd March 1937 from the Deputy Commissioner, Mysore District, forwarding copy of a report submitted by the Sub Division Officer, Pandya, stating that formal orders were not obtained for the construction of the above mosque that the construction is nearing completion and that in the mutchalika executed by the Mahomedan residents on 14-11-1932, they have clearly stated that they have no objection to the passage of processions with music before the mosque and for fixing a stone tablet and that a tablet with suitable inscription will be arranged to be fixed up by the Executive Engineer.

Order No. Bangalore, dated 21-4-37.

In the circumstances explained, the construction of the mosque in question, is sanctioned.

The conditions governing the construction of new places of worship should be adhered to and a stone tablet got fixed by the Executive Engineer, as suggested by the Deputy Commissioner. The text of the inscription is noted in the margin*.

The Deputy Commissioner, Mysore District.

"This Mosque was constructed in the year ...
and as agreed to by the Mahomedan Community
no right whatever will be claimed by them
to forbid the use of music by religious and
other processions passing by the Mosque".

"COPY"

M N Anantakrishna.

For Muzrai Commissioner.

Letter No.C3-52/36-37 dated 22nd February 1937 from the Sub Division Officer, Mandya, to the Deputy Commissioner, Mysore District, Mysore.

Subject: Maddur Mosque.

With reference to your memo No. H.481/36-37 forwarding copy of Muzrai Commissioner's letter on the above subject, I have the honor to submit herewith the connected records, and to state that the file does not contain formal orders of Government for the construction of the new Mosque. The final mutchalika executed by the Mahommedan devotees to the effect that they have no objection to the passage of music etc., before the mosque and for putting up a stone tablet is flagged A.

The construction of the mosque is nearing completion, and there have been applications (1) from the Hindu residents that the tablet should be put up before the mosque is handed over for service and (2) from one section of the Mahommedan community that the mosque should not be handed over to the Khaji as he has mismanaged the affairs in the past, and that they may be permitted to go to the Civil Court under Sec.92 of the Civil Procedure Code for obtaining a scheme of management. The Amildar has made a detailed report on both the points.

As regards the tablet I request that the text of inscription may kindly be obtained from the Muzrai Commissioner's Office, and the Executive Engineer requested to put up the tablet accordingly as per mutchalika of the Mahommedans dated 14-11-32.

As regards the dispute between the two sections of the Mohammadans, it is seen from the Amildar's report that the mosque is not a Muzrai institution endowed with cash grant or inam from Government. The income is poor, and the charge of mismanagement against the Khaji could not be substantiated. However, I agree with the Amildar that it is not desirable to handover the mosque to any one party, as it would form a fruitful source of dispute and trouble. Either they shew should be asked to compromise their differences, and come forward unanimously to take possession of the mosque, or the matter left to

the decision of

the decision of the Civil Court under Section 92 of the Civil Procedure Code as prayed for by one of the parties.

" Copy."

M. N. Arunachalam.

For Muzrai Commissioner.

Letter No.H.481/36-37 dated 2nd March 1937 from the Deputy Commissioner, Mysore District, to the Muzrai Commissioner in Mysore, Bangalore

- - - - - -

14

Maddur Mosque.

With reference to your letter No.P.C.258/36-37 dated 9th February 1937 on the above subject, I have the honour to forward herewith a copy etter No.C2 -522/36 dated 22nd February 1937 from the Sub Division Offi Mandya, requesting that the text of the inscription be obtained from your office and the tablet be arranged to be fixed up by the Executive Engineer as agreed to by the Mohamedans of the place in their mutchalika dated 14t November 1932 and offering his proposals in the matter of handing over th Mosque to one of the two parties who have applied in the matter. I agree with the Amildar and the Sub Division Officer, and recommend that the ques tion of the possession of the Mosque be left to the decision of a Civil Court under Section 92 of the Civil Procedure Code unless the contending parti settle the differences amongst themselves and come forward with a unanimou request.

The connected records accompany.

"COPY." M. N. Ananthan
for For Muzrai Commissioner

GENL. SECRETARIAT
1019
24. APR. 1937
MUZRAI BRANCH

M C 13.]
No. P.C. 258/36-37
Encl: one file

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore,... 21st. April....193 7.

22
Mes 2-36-47

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore

To

GENERAL SEC.
23 APR.

M. Venkatesa Iyengar, Esq., M.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
.....General..... ....*Department.*

SIR,

With reference to your Memo No.953/Muz.2-36-17 dated 16-1-1937, calling for a report on the petition from certain Hindu residents of Maddur Town in re. fixing up a stone tablet in front of the new mosque at Maddur, I have the honor to forward herewith a copy of letter No. H.481/36-37 dated 2nd March 1937 from the Deputy Commissioner, Mysore District, together with a copy of report No.C2-522/36-37 dated 22nd February 1937 from the Sub Division Officer, Mandya, explaining the facts of the case, and to state that formal sanction has been accorded by me now for the construction of the mosque and the text of the inscription on the stone tablet to be fixed up intimated to the Deputy Commissioner. A copy of the order is enclosed for information.

It is reported by the Sub Division Officer that there are two parties among the Mahomedans at Maddur, each wishing to have the management of the mosque for itself and that it is not desirable to hand over the mosque to any one party as it would form a fruitful source of dispute and trouble, and that they should be asked to compromise their differences and come forward unanimously to take possession of the mosque, failing which, the matter should be left to the decision of the Civil Court under Section 92 of the Civil Procedure Code. The Deputy Commissioner agrees with the Sub Division Officer in this view. The mosque in question is a non-Muzrai institution, but a sum of Rs 3,000 has been contributed from the State and the General Muzrai Fund grants to defray the cost of its construction and the work is being executed by the P.W.D.,

which is said to be nearing completion. I request that in view of the difference that has developed between the two parties, the opinion of the Law Section may kindly be obtained and instructions caused to be issued if an endorsement in terms of the Deputy Commissioner's suggestion may be granted in case the parties do not come to any agreed settlement.

The connected records, as also the petition referred to above, are forwarded herewith for reference.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

ere

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. 1555 — Encl file — Dated, Bangalore, 25th May 1957.
Mwj 2-36-48 — 26th

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,
Bangalore.

Sir,

With reference to correwpondence ending with your letter No.P.C.258/56-57 dated 22nd April 1957 regarding the management of the mosque at Maddur, I am directed to state that there is no need for any action under Section 92 of the C.P.C. Government have built this mosque and it cannot be called a trust created by any one. It is open to Government to arrange for the management and use of the institution in the manner they think best. The Muslim residents of Maddur may be given some time to compose their differences and take over the building under their management. I am to add that the wording on the stone tablet to be put up on the front side of the mosque may be changed to "passing before" instead of "passing by" as suggested in the draft order proposed to be issued by you. Necessary action may be taken accordingly. The enclosures received with your letter are returned herewith.

I have the honour to be,
Sir,
Your most obedient servant,

Mir Sajan Ulman
for General Secretary to Government.

ACH.2.

Appendix F G—1]

SUBJECT .....

.....

.....

Section Mly

File No. 2 – 36

Serial No. 48

Diary No. of letter replied to .....

No. 1555 Income file

To The Muzzi Comm

Sir,

General and Revenue Secretariat

( )

the *193* .

With reference to

Date of issue 26-5-37

ending with your letter No P.C

Signed by Mr. Safedar Hussain

2581/36.37) dated 22.4.1937 regarding

the management of the Mosque

at Maddur, I am directed to

State that there is no need for

any action under Section 92 of

the C.P.C. Govt have built this

Mosque and it can not be

called a trust created by any

List of enclosures .....

one. It is open to ~~them~~ Govt

to arrange for the management of

Copied by .....

the institution and use of the

institution in the manner they

Examined by .....

think best. The Muslim

H 19

residents of Maadim may be
given. Some time to ~~compromise~~ compose
their differences and take over
the building under their management.
If the parties do not agree to any /
amicable Settlement, the ~~with~~ within
may be taken, under Govt management
as in the case of other similar buildings.
The I am to add that the boarding
~~on~~ the Stone tablet ~~may be~~ passing
~~before~~ instead passing by
suggested in the draft order put up to you.
Necessary action may be taken
accordingly and the enclosures
received with your letter
are returned herewith

Thanks etc

Yours
2/1/37

2/1/37 Sd/ Lord Lothian
Bl
2/1/37